**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1924 OF 2007**
**IN**
**WRIT PETITION NO. 291 OF 2007**

Smt. Sarita Anil Jaiswal ] .. Applicant.

Versus

1. State of Maharashtra & 3 ors. ] .. Respondents

Mr. M.V. Aiya for the applicant.

Mr. C.R. Sonawane, AGP, for the respondents No.1 to 3.

**CORAM: S.B. MHASE &**
**D.G. KARNIK, JJ.**

**DATED: 27TH JULY, 2007**

**P.C. :**

. Heard.

2. The Petition was dismissed for non payment of bhatta in view of the order dated 21st April, 2007, which was a conditional order. The conditional order was not obeyed and, therefore, the Petition was dismissed. Under these circumstances, in order to give one final opportunity, we find it appropriate to restore the Writ Petition, however, subject to cost.

3. The order dated 21st April, 2007, passed in

Writ Petition No.291 of 2007 is recalled and the said Petition is restored to file, however, subject to the condition that within two weeks from today, the petitioner shall deposit cost of Rs.5,000/- with the Maharashtra State Legal Services Authority. If there is failure in depositing the cost, the order of dismissal of the Writ Petition shall hold the field. If the cost is paid the Writ Petition shall be restored and on restoration, the petitioner is directed to pay the bhatta within a period of two weeks. However, if again there is failure in payment of bhatta within the stipulated period, the Petition shall stand dismissed.

4. Civil Application is disposed of.

Sd/-
**[D.G. KARNIK, J.]**

Sd/-
**[S.B. MHASE, J.]**